

**KELLEY DRYE & WARREN LLP**

A LIMITED LIABILITY PARTNERSHIP

1200 19<sup>TH</sup> STREET, N.W.

SUITE 500

WASHINGTON, D.C. 20036

(202) 955-9600

FACSIMILE

(202) 955-9792

www.kelleydrye.com

DIRECT LINE: (202) 887-1234

EMAIL: jkashatus@kelleydrye.com

NEW YORK, NY  
TYSONS CORNER, VA  
CHICAGO, IL  
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February 6, 2006

**VIA ECFS**

Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12th Street, SW  
Washington, D.C. 20554

Re: EB Docket No. 06-36/EB-06-TC-060: Certification of CPNI Filing

Dear Ms. Dortch:

On behalf of ITC^DeltaCom Inc. attached please find the Certification of CPNI filing and corresponding attachment. ITC^DeltaCom Inc. provides, through its operating subsidiaries, integrated telecommunications and technology services to businesses in the southeastern United States.

ITC^DeltaCom Communications, Inc. and Business Telecom, Inc. ("BTI") are each competitive local exchange carriers (as well as interexchange carriers) organized under a common parent, ITC^DeltaCom Inc. ITC^DeltaCom Inc. acquired BTI in October 2003, and although BTI services continue to be available, post-merger marketing of new customers is focused on ITC^DeltaCom. The typical customer is a multi-line business that purchases a bundled package of local service (with vertical features), long distance service, and data (Internet access) services provisioned over T-1 (DS-1) facility.<sup>1</sup>

<sup>1</sup> In fact, ITC^DeltaCom Communications, Inc. discontinued residential service in November 2005, pursuant to its Section 63.71 application filed with the FCC on July 20, 2005, as amended.

Marlene Dortch  
February 6, 2006  
Page Two

Please contact me at (202) 887-1234 if you have any questions regarding this filing.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jennifer M. Kashatus".

Jennifer M. Kashatus

cc: Byron McCoy, Telecommunications Consumers Division, Enforcement Bureau, FCC  
Best Copy and Printing, Inc. (BCPI)

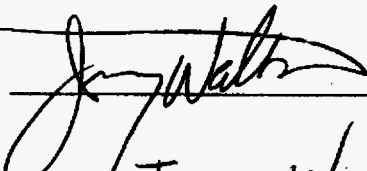
**CERTIFICATION CONCERNING  
CUSTOMER PROPRIETARY NETWORK INFORMATION (CPNI)**

For calendar year ending **December 31, 2005**, based on my personal knowledge, information and belief, ITC^DeltaCom Communications Inc. and Business Telecom Inc., have established adequate operating procedures to ensure compliance with the Federal Communications Commission's CPNI rules.

By: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

  
JERRY WATTS

VICE PRESIDENT

## **Customer Proprietary Network Information Policy Statement**

ITC^DeltaCom Inc., through its operating subsidiaries, ITC^DeltaCom Communications, Inc and Business Telecom, Inc. (collectively, the “companies”), has operational procedures and policies in place that are designed to ensure compliance with the Federal Communication Commission’s Customer Proprietary Network Information (“CPNI”) rules.

Practices, procedures, and training are utilized to ensure that CPNI is used in accordance with federal law, *see* 47 U.S.C. § 222, and as stated in this policy.

Federal law defines CPNI as:

Information that relates to the quantity, technical configuration, type, destination, and amount of use of a telecommunications service subscribed to by a customer of a telecommunications carrier, and is made available to the carrier by the customer solely by virtue of the carrier-customer relationship; and

Information contained in the bills pertaining to a telephone exchange service or telephone toll service received by a customer of a carrier.<sup>1</sup>

For example, CPNI includes information such as the type of services to which the customer subscribes and the customer’s use of those services (e.g., call patterns, call volume, etc.). CPNI does not include information derived from non-telecommunications services offered to the customer.

Under federal law, absent customer consent, we are permitted to use, disclose, or permit access to CPNI as follows:

- (1) to protect our rights and property, our customers, and other carriers from fraudulent, abusive, or unlawful use of, or subscription to, our services;
- (2) to provide or market service offerings among the categories of service to which the customer already subscribes;
- (3) for the provision of customer premises equipment;
- (4) for billing and rendering services to the customer; and
- (5) as required by law, such as in response to a validly issued subpoena.

We do not share CPNI with third parties for marketing purposes. However, we may engage third parties to assist in billing and collections, administration, surveys, marketing, service delivery and customization, maintenance and operations, and/or fraud prevention.

We use, disclose or permit access to CPNI to provide or market service offerings among the categories of service to which the customer already subscribes. When we provide different

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<sup>1</sup> *See* 47 U.S.C. § 222(h)(1)(A), (B).

categories of service, and a customer subscribes to more than one service category, we may share the customer's CPNI with the affiliate that provides service to the customer.

In the event that we seek to market services to customers outside of the category of services to which the customer subscribes, we would solicit customer approval for such use of CPNI.

Employees are trained to respect the privacy of customer information. We will take all necessary disciplinary actions for violation of this policy.